

Remarks

This supplemental amendment is submitted to correct the informalities noted by the Examiner in the document filed August 2, 2006, as suggested by the Notice of Non-Compliant Amendment mailed October 18, 2006.

Claims 1 - 7 remain in this application, Claims 8 – 12 having been withdrawn as being drawn to a nonelected species. Claims 1 – 7 stand rejected under Section 103(a) as unpatentable over Gray (6,241,849) in view of Hutto (4,896,381). Claims 1 and 2 are cancelled by this amendment.

Turning first to claim 3 (which is now Applicant's main claim) applicant respectfully suggests that the Examiner may have misconstrued Gray's disclosure. The Examiner's remarks refer to Gray as showing a locking plate (20) held "against a backside of the shower stall wall". In fact, Gray refers to a "ring nut 20" having "tabs 40" which is advanced toward the backside of the shower stall wall, but locking plate but cannot end up being held against it for two reasons. First, the Gray's nut 20 will likely jam against the three legs 28 before getting anywhere close to the backside of the wall (see Fig. 4); and second, the diameter of Gray's nut 20 is less than the wall opening (see Figs. 3 and 4) so it could never come into abutting contact with the wall no matter how far the valve body is threaded into it. This would be true even if the wall were thicker than as shown in Gray's drawings.

By contrast, Applicant's claim 3 (as amended) specifically calls for locking legs having one-way ratchet means (which are not at all the equivalent of Gray's threads, which are intended to allow two-way axial movement) which serve to secure the locking plate against the wall, which is thus incapable of passing through it, which could easily happen with the Gray's design (see Fig. 4).

Also, a major difference between Applicant's claim 3 and Hutto's disclosure is that Applicant discloses and claims "extending hook portions", which are distinctively different from Hutto's "two elongated fingers 52" (col. 4, line 17; Figs 1 and 3) which merely trap the supply pipes against a wooden support, and do not hook and retain them in the way disclosed and claimed by Applicant.

If claim 3 is therefore allowable, then claims 4 – 7, inclusive, which depend from it, are allowable also.

By this amendment, Applicant has added new independent claim 13 [~~11~~] and dependent claims 14 – 16 [~~12—14~~] merely to define the inventive improvements in different words. It is submitted that these claims are also allowable, for the reasons set forth above in connection with original claims 3 – 7.

For the foregoing reasons, allowance of claims 3 – 7 and 13 – 16 [~~11—14~~] (being the only claims presently under consideration) is respectfully solicited.

Respectfully submitted


Attorney for Applicant

Dated: November 1, 2006

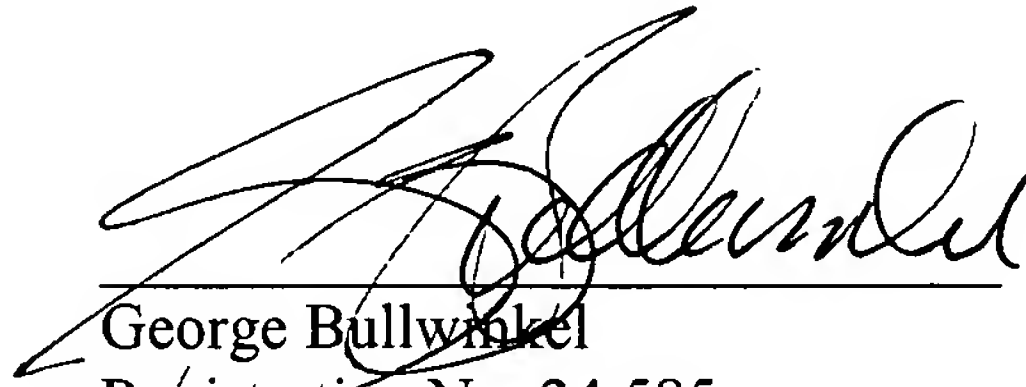
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CERTIFICATE OF MAILING

George E. Bullwinkel, attorney of record, hereby certifies that one copy of the foregoing
SUPPLEMENTAL AMENDMENT was transmitted by Express Mail, postage prepaid, on
November 1, 2006 to:

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